

REMARKS/ARGUMENTS

Claims 9-26 are currently pending. Claims 9-24 stand rejected. By this amendment, claims 9, and 16 are amended, and claims 25 and 26 are added. Claims 9-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hirano (U.S. Patent No. 5,650,742) ("Hirano") in view of Cress et al. (U.S. Patent No. 6,483,386) ("Cress").

Claims 9 and 16 have been amended to recite "at least one native NMOS transistor device having a threshold voltage less than 0V and a gate that is constantly grounded", among other limitations. Claims 25 and 26 recite "at least one native NMOS transistor device" having "a gate that is constantly grounded", among other limitations.

Examiner has indicated in Hirano, "that the at least one pass transistor having its gate that is grounded (i.e., for NMOS Qn 1201, the gate having a voltage swing between ground Vss and Hi power supply Vpp, so the gate of Qn1201 is grounded when output O12 having voltage level of Vss 0V; and similarly, for NMOS Qn1202, the gate having a voltage swing between ground Vss and Lo power supply Vcc, so the gate of Qn1204 is grounded when node N1203 having voltage level of Vss 0v)." Office Action, at p. 4.

Claims 9, 16, 25, and 26 are amended to recite "constantly grounded". Examiner has indicated that in Hirano "the gate of Qn1201 is grounded when output O12 having voltage level of Vss 0V" and "the gate of Qn1204 is grounded when node N1203 having voltage level of Vss 0V". In contrast, claims 9, 16, 25, and 26 recite "constantly grounded".

For at least the foregoing reasons, Examiner is requested to withdraw the rejection to claims 9, 16, as well as dependent claims 10-15, and 17-19, and allow claims 25 and 26.

Claims 19 and 20 are amended to include "eliminating static current drain of the level shifter circuit". Examiner has indicated that "the structure of the above modification [Hirano, Figure 12, in view of Cress] is similar as applicant's invention so if the feedback transistor of applicant's invention capable of

eliminating static current drain then the feedback of Qp1201 in this modification also capable of eliminating static current drain.”

As an initial matter, it is noted that claims 19 and 20 are directed to methods. Moreover, Examiner does not identify from Hirano or Cress any teaching of “eliminating static current drain of the level shifter circuit”. Rather, Examiner merely purports to identify the remaining limitations (prior to the amendments) of claims 19 and 20 in Hirano in view of Cress, and then concludes that if the remaining limitations are present, the proposed combination of Hirano in view of Cress would be “eliminating static current drain of the level shifter circuit”. Examiner does not provide any support for this line of reasoning, except to say that “if the feedback transistor of applicant’s invention capable of eliminating static current drain then the feedback of Qp1201 in this modification also capable of eliminating static current drain.” It is noted that Applicant’s recital of the other limitations of claims 19 and 20 are not an admission or suggestion that if said other limitations are present, “eliminating static drain” necessarily occurs. Therefore, even if, *arguendo*, the proposed combination of Hirano in view of Cress teaches each of the remaining limitations of claims 19 and 20 (which it does not), there is no teaching or suggestion that the combination would be “eliminating static current drain of the level shifter circuit”.

Accordingly, Examiner is requested to withdraw the rejection to claims 19 and 20.


CONCLUSION

In view of the foregoing, it is respectfully submitted that the pending claims define allowable subject matter. Applicants respectfully request that the present case pass to allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

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Respectfully submitted,

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